

# Planning & Zoning Minutes

September 4, 2008

12 North Center  
Rexburg, ID 83440

www.rexburg.org

Phone: 208.359.3020  
Fax: 208.359.3022



CITY OF  
**REXBURG**  
America's Family Community

## Commissioners Attending:

Winston Dyer – Chairman  
Thaine Robinson      David Stein  
Mary Ann Mounts      Ted Hill  
Dan Hanna              Richie Webb

## City Staff and Others:

Rex Erickson – City Council Liaison  
Gary Leikness – Planning Administrator  
Elaine McFerrin - Secretary

**Chairman Dyer** opened the meeting at 7:04 pm.

## **Roll Call of Planning and Zoning Commissioners:**

Richie Webb, David Stein, Winston Dyer, Thaine Robinson, Dan Hanna, Ted Hill, Mary Ann Mounts

**Mike Ricks** and **Randall Porter** were excused.

## Minutes:

1. Planning and Zoning meeting – August 21, 2008

**Dan Hanna** motioned to approve the Planning & Zoning minutes for August 21, 2008. **David Stein** seconded the motion.

**Thaine Robinson** and **Richie Webb** abstained for not having been present. None opposed. **Motion carried.**

**Public Hearings:** None

**Unfinished/Old Business:** None

## **New Business:**

1. Final Plat – Everett Place Condominiums – 887 Everett Place

Kristopher Meek, from Hopkins Roden Crockett Hansen & Hoopes, 428 Park Ave., Idaho Falls, presented the final plat for Everett Place Condominiums. He stated he had previously been before

the Commission with the preliminary plat. The building is an existing apartment building that the owner is converting to condominiums. The property was shown on the overhead screen. The applicant has placed 3 trees along the right- of- way boulevard strip, and shrubs have been installed on the property, as requested in conditions of approval for the preliminary plat. There are also 3 trees along the back of the building. The requested parking space number (9 spaces) has been met. The crosshatch area shown on the projected GIS (Geographic Information Systems) image has been removed as has the handicapped parking space, which is not required for a condominium. There have been 2 new parking spaces added to the property. Mr. Meek stated that they have spoken with the City Attorney, specifically about the common area concern - if the building was sold to a single individual again, that single individual would own those common areas and would be the City's contact to discuss any issues about those areas. The applicant feels that all City concerns have been addressed.

**Richie Webb** asked for clarification on the common area issue.

Kristopher Meek explained that as an apartment, the building's owner is responsible for the common areas, such as mowing lawns and repairing sidewalks. As condominiums, all 4 owners will be required to become members of the homeowners association, to which they pay dues, and which jointly assesses what needs care or correction. If the property reverts back to 1 owner, that owner would again be responsible. The City would contact the deeded owner for any concerns.

Rex Erickson, City Council Liaison, brought up a concern regarding the sidewalk at the front of this property, which he said was caved in and tipped upward. It is a hazard. Repair of the sidewalk needs to be addressed.

**Chairman Dyer** asked for Gary Leikness' input.

Gary Leikness stated that the property would be inspected for compliance with any conditions of approval prior to the signing of the final plat by the City.

The Commission discussed the proposal.

**Dan Hanna** asked who is responsible to repair the sidewalk.

**Chairman Dyer** said it was the responsibility of the owner of the property to repair the sidewalk. He stated that the contractor who had installed them had been contacted by the City's Compliance Officer, but he did not know the outcome.

**Mary Ann Mounts** motioned to recommend approval to City Council for the final plat for Everett Place Condominiums at 887 Everett Place, to include the condition to repair the damaged sidewalk at the front of property (note from staff: This condition would be in addition to those placed on the preliminary plat approval). **Dan Hanna** seconded the motion. None opposed. **Motion carried.**

**Compliance:** None

**Non controversial Items Added to the Agenda:**

Gary Leikness first briefed the Commissioners on the Comprehensive Plan Map status. He referred to the Comprehensive Plan Map posted behind the Commissioners; it was approved by City Council last night (September 3, 2008), with some minor changes that he pointed out to the Commission members.

The 4 Comprehensive Plan Map Amendment applications that were heard previously by the P&Z Commission were all approved by City Council. **Area 2** (208 E. 3<sup>rd</sup> S., requesting change from Low-Moderate Residential to Moderate-High Residential Density) and **Area 4** ( Legacy Leasing - approximately S. 2<sup>nd</sup> E and E. Main, and E. 1<sup>st</sup> S., requesting change form Low-Moderate Residential to Mixed-Use) had been recommended for denial by the Planning & Zoning Commission.

The Nefs (**Area 2**) suggested some alternatives to City Council, to house 6 girls in the basement rather than changing the whole home. Legacy Leasing (**Area 4**) had new positive testimony heard at the City Council meeting.

The document portion of the 2020 Comprehensive Plan will be heard at the next Council meeting on September 17<sup>th</sup>, 2008.

The Commission discussed the issue of student parking.

**Ted Hill** said a new ordinance regarding student parking needs to be pursued. The Nef property would be a good example of not needing any parking because it is adjacent to the university.

**Chairman Dyer** requested that City Attorney Stephen Zollinger be invited to discuss reduced student parking alternatives with the Planning & Zoning Commission.

### **Comprehensive Plan Map Amendment process – Discussion**

Gary Leikness provided the Commission with a hand out regarding the 6 month schedule to look at Comprehensive Plan Map application change requests (State statute limits the revisiting of comprehensive plan maps to a minimum of 6 months). Staff is proposing that the next 6-month deadline immediately follow the adoption by the City Council of any map changes, rather than being set at a regularly scheduled date (July and December)

The Commission discussed this issue. The City Council would hear the next requests in March, following the Planning & Zoning Commission hearing those requests in February. Future map amendment applications would then always be heard on a 6 month rotation.

The Commission supported following the 6 month schedule (from the date Council hears and decides on the map change requests) that the staff proposed, to move the requests along in a very timely way for the public.

The Commission briefly discussed the status of the Comprehensive Plan document.

The Commission discussed the status of the Sign Committee formed to address concerns regarding banners and temporary signs. Gary Leikness said the committee met and came up with some ideas.

Staff is currently in the process of mailing out a draft revision to the Committee. As a reminder, this Committee will only make a recommendation to the Planning Commission who will ultimately send up a recommendation to the City Council for any changes that might be made to the sign ordinance.

**Report on Projects:** None

**Tabled Requests:** None

**Building Permit Application Report:** None

**Heads Up:**

- 1, Hemming – Conditional Use Permit - parking lot expansion – on north side of 1<sup>st</sup> South
2. Ryan Orme – storage units on W. 4<sup>th</sup> S. – regarding distance of gate from the right-of-way
3. Stephen Zollinger – reduced student parking discussion

The Heads Up items were briefly discussed.

The status of Design Standards/Design Review procedures with regard to the development community was also briefly discussed. Gary Leikness stated that Val Christensen, the Community Development Director, was currently putting together a list of potential revisions.

**Chairman Dyer** adjourned the meeting at 8:25 pm.